

POSSESSION OF THE LAND AND HIS POSSESSION IS INCONSISTENT WITH THE RECORD TITLE, HIS POSSESSION CONSTITUTES CONSTRUCTIVE NOTICE OF WHAT AN INQUIRY OF THE POSSESSOR WOULD DISCLOSE AS TO THE EXISTENCE OF THE UNRECORDED DEED.

REVISOR'S NOTE: This section presently appears as Art. 21, §3-202 of the Code. The only changes are in style.

3-203. SUBSEQUENT DEED; PRIORITY OF DEED FIRST RECORDED.

EVERY RECORDED DEED OR OTHER INSTRUMENT TAKES EFFECT FROM ITS EFFECTIVE DATE AS AGAINST THE GRANTEE OF ANY DEED EXECUTED AND DELIVERED SUBSEQUENT TO THE EFFECTIVE DATE, UNLESS THE GRANTEE OF THE SUBSEQUENT DEED HAS:

(1) ACCEPTED DELIVERY OF THE DEED OR OTHER INSTRUMENT

(i) IN GOOD FAITH,

(ii) WITHOUT CONSTRUCTIVE NOTICE UNDER §3-202, AND

(iii) FOR A GOOD AND VALUABLE CONSIDERATION, AND

(2) RECORDED THE DEED FIRST.

REVISOR'S NOTE: This section presently appears as Art. 21, §3-203 of the Code. The only changes are in style.

SUBTITLE 3. RECORD BOOKS AND INDEXES.

3-301. RECORD BOOKS.

(A) LAND RECORDS.

IF THE PERSON OFFERING A DEED OR OTHER INSTRUMENT AFFECTING PROPERTY FOR RECORD FIRST PAYS THE RECORDING FEES, THE CLERK OF THE CIRCUIT COURT OF EACH COUNTY AND THE SUPERIOR COURT OF BALTIMORE CITY SHALL RECORD EVERY DEED AND OTHER INSTRUMENT AFFECTING PROPERTY IN WELL-BOUND BOOKS TO BE NAMED "LAND RECORDS[. ]" IF THAT IS THE PRACTICE IN THE COUNTY, OR ON MICROFILM, IF THAT IS THE PRACTICE. THE CLERK SHALL ENDORSE ON THE DEED OR OTHER INSTRUMENT THE TIME HE RECEIVES THE DOCUMENT FOR RECORDING AND THE ENDORSEMENT SHALL SHOW IN THE LAND RECORDS. ANY DEED OR OTHER INSTRUMENT AFFECTING PROPERTY WHICH ALSO AFFECTS PERSONAL PROPERTY SHALL BE RECORDED IN THE SAME MANNER IN THE LAND RECORDS ONLY, AND NOT IN THE "FINANCING RECORDS."